

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT C. BASS,

Plaintiff,

25-cv-2478 (JGK)

- against -

ORDER

PERSHING, ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

The attached Related Case Statement was filed in 25-cv-2678 (JGK), but should be filed in the earlier filed case: 24-cv-4586 (VEC). Whether the cases are related should be addressed to Judge Caproni.

SO ORDERED.

Dated: New York, New York
May 7, 2025



John G. Koeltl
United States District Judge

Kauff Laton Miller LLP

950 Third Avenue, 15th Floor
New York, NY 10022

Adam Kauff
(212) 906-3441
akauff@klmlp.com

May 6, 2025

VIA ECF

Hon. John G. Koeltl
Daniel Patrick Moynihan United States Courthouse
Southern District of New York
500 Pearl St., Courtroom 14A
New York, New York 10007

Re: Robert C. Bass v. Pershing, et al.
Case No. 25-CV-02478-JGK

Dear Judge Koeltl:

We represent Defendant Citigroup Global Markets Inc. ("CGMI") in the above-referenced action. It has come to our attention that a Related Case Statement has not been filed identifying what we believe to be a related case before Judge Valerie E. Caproni, captioned *Robert C. Bass v. Citi Global Markets, Inc.*, No. 24-cv-04586-VEC. Accordingly, and with apologies for the delay in our submission, please find enclosed a Related Case Statement submitted on behalf of CGMI.

Respectfully,

/s/ Adam Kauff

Adam Kauff

Enclosure

Kauff Laton Miller LLP

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

Robert C. Bass

Plaintiff

Case Number

vs.

25-CV-02478-JGK

Pershing, Pershing LLC & BNY Pershing
Bank of New York Mellon, N.A. ('BNY'),
Citigroup Global Markets Inc. ('CGMI'),
and Financial Industry Regulatory
Authority ('FINRA'),

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Robert C. Bass

Plaintiff

Case Number

vs.

24-CV-04586-VEC

Citi Global Markets, Inc.

Defendant

IH-32

Rev: 2014-1

Status of Earlier Filed Case:

☒

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☐

Open

(If so, set forth procedural status and summarize any court rulings.)

On March 12, 2025, the Clerk issued a Judgment, in accordance with the Court's March 11, 2025 Opinion and Order, denying Mr. Bass's petition and closing the case.

Mr. Bass filed a notice of appeal on March 12, 2025, and the appeal is currently pending.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The newly filed case is related to the earlier filed case because both cases arise out of the same alleged transaction—an alleged \$1 billion wire that was purportedly sent to Mr. Bass's account with Citigroup Global Markets, Inc. ("CGMI") from another institution in May 2019.

In May 2023, Mr. Bass commenced an arbitration against CGMI before the Financial Industry Regulatory Authority, Inc. ("FINRA") asserting a claim for damages based on allegations that CGMI failed to credit his brokerage account with the alleged \$1 billion wire. After a hearing on the merits, the arbitration panel denied Mr. Bass's claim.

Mr. Bass subsequently commenced the earlier filed case before Judge Caproni by filing a petition against CGMI seeking to vacate the award issued in the FINRA arbitration. As noted above, the Court denied Mr. Bass's petition.

In the newly filed case before Judge Koeltl, Mr. Bass has asserted claims against CGMI and new Defendants based on the same alleged \$1 billion wire that was the subject of the FINRA Arbitration and the case before Judge Caproni.

Signature: /s/ Adam Kauff

Date: May 6, 2025

Firm: Kauff Laton Miller LLP, attorneys for
Defendant Citigroup Global Markets Inc.



ROBERT C BASS
28 Herkimer Street
Ground Floor
Brooklyn, New York 11216
Tel: (201) 351 – 0328
eMail: robert.c.bass@strategicsolutions.services
legal@strategicsolutions.services

May 6th, 2025

Via ECF/CM

Honorable USDJ – John G. Koeltl
Daniel Patrick Moyihan United States Courthouse
Southern District of New York
500 Pearl Street
New York, New York 10007

25-CV-02478(JGK)
BASS v. Pershing, et.al.

RE: Defendant – CGMI's Related Case Statement

The Plaintiff – Robert C Bass, hereby submits this Letter in response to Defendant – CGMI's Related Case Submission.

The Court should keenly aware, with attention to detail in direct reference to careful review of the Plaintiff's Complaint, the Plaintiff – Robert C Bass, hereby declares the following, under penalty of perjury, *28 USC §1764*, before this Court and your Honor:

- The Defendant – CGMI, submitted Related Case Statement was submitted in bad faith and the Court should consider imposing sanctions against the Defendant.
- The Plaintiff's complaint in the above-entitled matter before this Court you're your Honor presiding, does include a claim for monetary damages for \$1 Billion USD, previously disputed in a FINRA Arbitration between the Plaintiff and Defendant – CGMI. However, because the Defendant continues to fail to apply any substantial and significant attention-to-detail, as a licensed attorney-at-law, with Kauff, Laton & Miller LLP, legal counsel appears to be attempting to misdirect and misinformed the Court into a dismissal of the Plaintiff's claims and allegations, WITH NO INCLUDED DIRECT REFERENCE AND IDENTIFICATION OF LODGED ALLEGATIONS OF CLAIMS OR PERSONAL INJURIES CAUSED BY THE DEFENDANT, REGARDING THE \$1 Billion USD.
- The \$1 Billion claims and allegations are specifically directed at the prime custodian, manager and account holder for the BNY Defendants.
- There was a secondary account ending in 3224, in which the Defendant – CGMI claimed was closed, but was discovered to still be active and open, earning Fed Funds Daily Interest Rates, since 2021 or so, to the present date.



ROBERT C BASS
28 Herkimer Street
Ground Floor
Brooklyn, New York 11216
Tel: (201) 351 – 0328
eMail: robert.c.bass@strategicsolutions.services
legal@strategicsolutions.services

- The Defendant – CGMI, drafted an email and letter to the Plaintiff stating, to wit, “[W]e will return the funds that were on deposit, as part of the Bank Deposit Program, ONLY, if you abandon your claim against CGMI for recovery of the \$1 Billion USD submitted with FINRA Dispute Resolution Services.
- The Plaintiff refused and the Defendant refused to return the funds held on deposit in the secondary account ending in 3224.
- Defendants are being sued for funds owed, compounded interest, to the present date, through willfully, knowingly and intentionally engaging in false bank entries, reporting and engaging in fraudulent reporting to the Office of the Comptroller of the Currency, Federal Deposit Insurance Corporation, (‘FDIC’), and the Securities and Exchange Commission (‘SEC’), to including violations of listed Uniform Commercial Code (‘UCC’) articles included within the Plaintiff’s complaint under review with this Court
- Plaintiff can affirm and does declare, a motion for reconsideration was filed on May 6th, 2025, with USDJ Valerie E. Caproni via ECF/CM filing system, with Judge Caproni granting leave to the Plaintiff to conduct a review of newly-discovered evidence, involving an exceptional circumstance of a purely legal issue of arbitrability that applies to the Plaintiff and would void the District Court’s previous judgement for mistake, error and excusable neglect, pursuant to Rule 60(b) of the Fed.R.Civ.P.
- The Plaintiff does hereby affirm there is also an existing pending appeal with the 2nd Circuit Court of Appeals. The appeal brief is due on or before June 13th, 2025, and has not been filed as of this date.
- The Plaintiff elected to submit a request to Judge Caproni seeking the Court consideration to reopen the case and docket. Judge Caproni granted the Plaintiff’s request based on newly-discovered evidence, not previous made available, through the Defendant – CGMI, avoidance and intentional 300+ day delay in complying with FINRA Document Production List, after the Plaintiff complained and filed motions to compel discovery.
- Should Judge Caproni reverse her previous decision – denying the Plaintiff’s Motion to Vacate the FINRA Award and issues the Plaintiff’s request for summary judgement, then the Plaintiff will be arguing and attaching fiduciary responsibility to Defendant – CGMI, for the \$1 Billion USD, along with the BNY Defendants, as a participating co-conspirator, to including collusion.

Again, Defendant – CGMI, provided the documented evidence – in a FINRA Arbitration, to justify all causes of action and allegations included within the Plaintiff’s complaint, which



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eMail: robert.c.bass@strategicsolutions.services
legal@strategicsolutions.services

provide irrefutable evidence of truth to all included allegations, as they would apply, in whole or in part, respectively to each named defendant.

The Defendant – CGMI is seeking a judicial lifeline to shield itself from culpability, liability and responsibility of its actions, which were instituted against the Plaintiff since May of 2019 to the present date. This Court should abstain from administering such a lifeline to the Defendants, as named and identified by the Plaintiff.

The Plaintiff would also like the Court to be aware there is an active ongoing SEC investigation into Defendant – CGMI's activities and actions, regarding the absconded \$1 Billion USD complained of by the Plaintiff. The Plaintiff filed an SEC Whistleblower Complaint with the SEC in September of 2022 and the Defendant – CGMI, is presently in violation of (2) separate SEC Cease-and Desist Orders regarding RecordKeeping, for willful, knowing and intentional non-compliance of the Securities Exchange Act. And the Defendant – CGMI's account firm – KPMG, has been recently sanctioned for falsifying accounting records and reporting on behalf and at the request of CGMI aka CitiCorp, for the purposes of defrauding investors, clients and customers. All discovered via open source intelligence.

Respectfully Submitted,

s/Robert C Bass
In Propria Persona